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THESIS.

THE ECONOMIC DEVELOPMENT OF THE MERCHANT AND CRAFT GILDS
OF ENGLAND.

Submitted by

Mabel Edna Bowker, A. B.
Radcliffe 1904.

In partial fulfillment of requirements for the degree of
Master of Arts.

1922.

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BIBLIOGRAPHY.

In the following lists, I have put * before the books that I have found useful, and ** before those that I have used the most.

General Works:

*Ashley, W. J. - - - - Beginning of Farm Life in the Middle Age.
Boston, 1896. Quarterly Journal of Economics.

**Ashley, W. J. - - - - The Early History of the English Woolen Industry.
Baltimore, 1887. American Economic Association.

Ashley, W. J. - - - - An Introduction to Economic History and Theory.
London, 1888.
N. Y. 1893. Two Volumes.

Bateson, Mary, - - - - Medieval England.
England, 1904.
N. Y. Putman's (Story of the Nations' Series)

**Cheyney, Edward P. - - Translations and Reprints from the Original - - Sources of European History.
Philadelphia, 1894. University of Pennsylvania.

**Cheyney, Edward P. - - An Introduction to the Industrial and Social History of England.
London, 1910. Macmillan.

*Cheyney, Edward P. - - Readings in English History.
Boston, N. Y. 1908. Ginn & Co.
Chicago, London.

*Day, Clive, - - - - History of Commerce.
London, 1901. Longmans, Green.
N. Y.

*Davis, H. W. C. - - England Under the Normans and The Angevins.
London, 1905. Methuen.

Emerton, Ephraim, - Medieval Europe.
Boston, 1894. Ginn & Co.

*Fabian Tracts. 1884-1900.
 London, 1903. Fabian Society.

*Gibbons, H. De B. - - The Industrial History of England.
 London, 1890. Methuen.

*Green, J. R. - - - - Short History of the English People.
 N. Y. 1884. Mackay.

Hallam, Henry, - - - Europe During the Middle Ages. 3 Vols.
 London, 1853. Murray.

Jusserand, J. J. - - English Wayfaring Life in the Middle Ages. Translations by Lucy Toulmin Smith.
 London, 1888-1912. Munn.
 Leipsic.

Thorpe, Benjamin, - - Ancient Laws and Institutes of England.
 London, 1840.

*Tout, T. F. and Tout, T. J. Editors Historical Essays by Members of Owens College, Manchester. Published in commemoration of its Jubilee.
 N. Y. 1901. Longmans, Green.
 Bombay, 1902.

*Traill, H. D. & Maine, J. S. Social England, Vol. II, Sec. 1.
 N. Y. 1909. Putnam's.
 London. Cassell.

**Usher, Albert Payson, An Introduction to the Industrial History of England.
 Boston, 1920. Houghton Mifflin.

Webster, Hutton, - - - Medieval and Early Modern History.
 Boston, 1917. Houghton Mifflin.

Secondary Works More Directly Concerned with the Gilds.

*Barker, Christopher, - The Development of the Associative Principle During the Middle Ages. Section III.
 London. Longmans, Green, Longman & Roberts.

*Bloomfield, Daniel, Editor. Selected Articles on Modern N. Y. 1919. H. W. Wilson. Industrial Movements.

1. 1920-1930 2. 1930-1940 3. 1940-1950
4. 1950-1960 5. 1960-1970 6. 1970-1980
7. 1980-1990 8. 1990-2000 9. 2000-2010
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94. 2095-2096 95. 2096-2097 96. 2097-2098
97. 2098-2099 98. 2099-20100 99. 20100-20101

*Bourne, H. R. Fox. English Merchants.
London, 1866. Memoirs in Illustration of Progress
of British Commerce.
Richard Brently.

Brady, Robert. - - - - Ancient History Treatise of Cities
London, 1777. and Boroughs.
Joseph White.

*Cunningham, William - The Growth of English Industry and
Cambridge, 1905. Commerce. 3 Vols. Vol 1.
Cambridge University.

**Brentano, Lugo. - - - - Chapters of the History and Development
of English Gilds in Toulmin
Smith's Gild Compilation.

***Gross, Charles. - - - - The Gild Merchant. A Contribution
Oxford, 1890. to English Municipal History.
Clarendon Press.

**Gross, Charles - - - - Bibliography of British Municipal
London, 1897. History.
N. Y. Longmans, Green.

**Kramer, Stella. - - - - The English Craft Gilds and the
N. Y. 1905. Government.
Columbia University. (Ph.D. Thesis)

**Lipson, E. - - - - The History of the Woolen & Worsted
London, 1921. Industries.
A. & C. Black.

Merewether, Henry Aldworth & Stephens, Archibald, John. - -
London, 1885. History of Bouroughs and Municipal
Cooperations of the United Kingdom.
Stevens & Son.

Palgrave, Sir Francis, The Merchant and the Friar.
London, 1884. Parker.

Penty, Arthur J. - - - - A Gildsman's Interpretation of
N. Y. History.
Sunrise Turn, Inc.

**Seligman, Edwin R. A. Two Chapters on the Mediæval Gilds
Baltimore, 1887. of England.
American Economic Association.

***Smith, Toulmin. - - - - English Gilds. The Original Ordinances
of more than 100 Early English Gilds -
together with Ye Olde Usage of Ye Cite
of Winchester. The Ordinances of

Digitized by the Internet Archive
in 2013

<http://archive.org/details/theeconomicdevel00bowk>

London, 1870. Worcester, the Office of Mayor of Bristol.
Preliminary Essay of Lugo Brentano.
Trubner & Co.

*Schmoller, Gustav. - - - - - The Mercantile System and its Historical Significance. Edited by W. J. Ashley.
Economic Classics Series.
1884.

U. S. Consuls. - - - - - Trade Gilds of Europe.
1885. Department of State.

**Walford, Cornelius, - - - - - Gilds, Their Origin, Constitution, Objects and Later History.
Westlake, H. F. - - - - - The Parish Gilds of Mediaeval England.
London, 1909. Society for Printing Christian Knowledge.
N. Y.

Special Towns. History, Ordinances, Sources & Compilations of each.

Atkyne, Robert, - - - - - Ancient and Present State of Gloucestershire.
London, 1868.

*Abram, William A. Editor. Roll of Guilds Merchant of the Bourough of Preston.
Preston, 1884. Record Society.

*Arundell, Thomas, - - - - - The City of London and its Livery Companies.
London, 1867. Richard Pentley.

**Bain, Ebenezer, - - - - - Merchant and Craft Gilds - - A History of the Aberdeen Inco-operative Trades.
Aberdeen, 1887. J. & J. L. Edmund and Spark.

Ball, Charles, - - - - - An Historical Account of Winchester.
Winchester, 1818. J. Robbins.

*Barrett, William, - - - - - History and Antiquities of Bristol.
Bristol, 1769.

*Bateson, Mary, Editor, Cambridge Gild Records, prefaced by William Cunningham.
Cambridge, 1903. Deighton, Bell, Co., for Cambridge Antiquarian Society.

*Blakesley, George St. -- London Companies Commission.
London, 1885. A Comment on Majority Report.
Keegan, Paul Friend & Co.

Boase, Charles W. - - - Oxford.
London, 1887. Longmans, Green

*Brent, John - - - - - Canterbury in the Olden Time.
London, 1891. Lindle.

*Clemenska, G. Henry Wordsworth.
The Borough of Preston and the
Gild Merchant.
London, 1892.

Colstan, James, - - - - - The Guilding of Edinburgh.
Edinburgh, 1887. Colsten.

*Cotton, William, - - An Elizabethan Gild of the City
of Exeter, Merchant Adventures,
last half of the 16th Century.
Exeter, 1873. Pollard.

Dutchfield, P. H. - - - The City Companies of London and
Their Civil Works. A Record of
Their History, Charity and Treasure.
London, 1904. J. M. Dent.

*Freeman, E. R. Exeter.
London, 1887.

*Furnivall, Dr. F. J. Editor. The Gild of St. Mary Litchfield.
London, 1920. Early English Text Society.

Hazlett, W. Carew, - - The Livery Companies of the City
of London. Their Origin, Character,
Development and Social and Political
Importance.
London, 1892. Swan, Sonnensohne Co.

**Harris, Mary Downer, - - The Story of Coventry.
London, 1834. Guildhall for Author.

*Herbert, William, - - - The History of the Twelve Great
Livery Companies of London, with
an Historical Essay, and Accounts
of Each Company.
London, 1836. Guildhall for Author.

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of the culture of the people in the area and
then to develop laws, policies and a code of conduct

which will be in harmony with our culture

and which will not offend our people

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**Herbert, Francis Aiden, -- The Influence and Development of English Gilds, as Illustrated by the History of the Craft Gilds of Shrewsbury.
 Cambridge, 1891. University Press.

**Johnson, Rev. A. H. -- The History of the Worshipful Companies of the Drapers of London, preceded by an Introduction. London and Her Companies up to the 15th Century.
 London, 1914. Clarendon Press.

*Lambert, Rev. J. Malet - Two Thousand Years of Gild Life, together with full Accounts of the Gild and Trading Companies of Kingston-upon-Hull, from the 14th through the 18th Century.
 Hull, 1891. C. Brown and Son.
 London. Marshall and Kent.

*Latimer, John - - - - - The History of the Society of Merchant Venturers of the City of Bristol.
 Bristol, 1903. J. U. Arrowsmith.

Norman, Philip - - - - - The Ancient History of the City Gilds, Illustrated by Thomas K. Way.
 London, 1893. Cringr, Bell & Son.

Preston, Author (?) - - History of Together with the Guild Merchant.
 London, 1822. Published by Ed. Jeffery & Son.

Warden, Alexander J. - - Burgh Laws of Dundee with History, Statutes and Proceedings of the Guild of Merchants and Fraternities of Craftsmen.
 London, 1872. Longmans, Green & Co.

Walsh, Charles, - - - - - Coat Armours of the London Livery Companies.
 London, 1914.

*Unwin, George, - - - - - The Gilds and Cries of London.
 London, 1909. Methuen.
 N. Y. Scribners.

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There are two schools of Gild authorities; one headed by Lugo Brentano, who drew his conclusions from the records of Toulmin Smith, and another headed by Charles Gross, who differed from the former in some of his opinions.

A gild was a voluntary association of those living in the same neighborhood, who joined together for some common purpose, paying contributions to a common cause, worshipping together, feasting together at certain fixed times, and helping one another in sickness and poverty.

The merchant and craft gilds appear in England shortly after the Norman Conquest, probably being brought into England by the Normans. The merchant gild was at its height in the twelfth and thirteenth centuries. The townsmen earned their living by trading, manufacturing and handicraft. Trade gave character to the town and the merchant gild grew up in each town, with the sanction of the King, to protect and to regulate such trade, being recognized as a definite part of town administration for that purpose. Gild membership was not coincident with citizenship but usually went hand in hand with it. Membership was made up not only of merchants properly, so-called, but artisans who sold the products of their own making. It was the duty of the gild to maintain the monopoly of town trade for its members in order to bring prosperity to the town and to see that all the members had work. This was made more feasible through the directing and the controlling of the apprentice system.

The craft gild gradually replaced the merchant gild, its membership being formed mostly from those who had withdrawn from

membership in a merchant gild because they were out of harmony with the narrow policy of the wealthy merchants in control.

The craft gilds differed from the merchant gilds in that each craft was concerned with only one particular industry and had no definite political function.

The craft gilds grew rapidly in the fourteenth and the fifteenth centuries, wresting the control of town trade from the merchant gilds or sharing it with them. Their growth kept pace with the increasing division of labor. The regulations of these gilds were made primarily with the idea of protecting the consumer against defective wares, resulting from the competition of unskilled workmen. There were regulations to prevent adulteration and overcharges, against regrating, forestalling and engrossing; still others relative to the training of apprentices and the fixing of wages and prices.

The decline of the craft gilds was due to the fact that the central government came to play a more definite part in the trade control and that the system was outgrown through the introduction of the domestic and the factory systems.

At the present time, when there is so much discussion relating to the revival of the gild system in England by advocates of gild socialism, a study of the gild system, as it originally existed in mediaeval times, seems well worth while. From the beginning of such a study, however, the student is made keenly aware of the controversial character of gild literature.

It was not until about the middle of the nineteenth century that a scholar was sufficiently interested,¹ to make a detailed study of these mediaeval institutions. Then Toulmin Smith made a most careful and thorough investigation but death cut short his study before he had put into writing his own individual opinions relating to the gilds; yet not before he had prepared an extensive compilation of gild records which his daughter, Lucy Toulmin Smith, put into shape for publication. A young German scholar, Lugo Brentano, then in his early twenties, was commissioned to write the preface to the publication; and these few chapters on the general development of gilds have been authorities ever since and still are, although a small number of writers have questioned a few of Brentano's minor premises, among whom is Charles Gross, the author of "The Gild Merchant." These differences will be mentioned later.

Four derivations of the word gild are given; the first being from gild or geld, the old English for a fixed payment or contribution, (from gilden or geldan, to pay;)² the second, gelde, Danish or low German used in the sense of a contribution; it is evident that there is very little difference between these meanings; the third, from gyalde, Icelandic for payment, and gilda, a banquet;³

¹ Ashley Surveys 2-15.

² Walford 2.

Lambert 38.

³ Bain 3.

and fourth, from gueyl or goel or gouel, Breton for holiday. To a student of English history, the first seems the most probable derivation because of his cognizance of the Anglo Saxon wergeld. Then, too, it seems unnecessary to go so far afield for an explanation when one lies so near at hand.

According to Miss Lucy Toulmin Smith, the spelling guild has been established more by custom than fact.¹ A gild was the voluntary association of those living in the same neighborhood, who joined together for some common purpose, paying contributions to the common cause, worshipping together, feasting together at certain fixed times, and helping one another in sickness and poverty.² In the words of Becker³ "the gild at once an individual enterprise, a religious association, and a charitable foundation, bound the gildman to his fellows, and rounded out his life." This is not unusual because, as far back in history as we go, we find people uniting for enjoyment, or, for the accomplishment of something considered beneficial to the common welfare of its members. The old religious political leagues of Greece were an example of this. There are three theories as to the origin of the English Gilds. Some authors hold that the Roman collegia formed the background for the English gild, basing their argument primarily on the fact that there is no real documentary evidence showing its origin which, for that reason, must go far back in the history of the British Isles.⁴ Blakely in his "Comment on the Majority Report of the London Companies' Commissions," says this idea cannot be otherwise than vastly amusing to the ghosts

¹ Introduction to Smith's Gild Documents XIV.

² Walford 2.

³ Gross I 169
Becker, The American People, 82.
⁴ Penty 38

of these old Grocers who sat round their tables, "enl'an de grace
¹ mil CCCXLV and made themselves a club."² Brentano on the other
 hand, declares the gild indigenous to English soil, calling London
 its cradle. He thinks the gild had its origin in the old drink-
 ing festival of the Anglo Saxon family. He says: "The family
 appears as the original and pattern type, after which all the later
³ gilds were formed. When the family could no longer protect
 itself against the encroachments of outsiders, unions of families
 formed alliances, known as frith, or peace gilds."⁴ Seligman,
⁵ Cotton, Bain and Lambert refute this statement, holding the
 opinion that the gilds came from the continent in Anglo Saxon
 times or about the time of the Norman Conquest, this latter idea
 being supported by Gross who declared that there is mention of
 them on the continent earlier than in England, although the first
⁶ detailed statutes are English ones.⁶ Gross feels that Brentano
 has not produced sufficient evidence to prove his point
 and declares that he himself found no mention of any merchant
 gild in the Anglo Saxon period or any body forming the nucleus
 of borough government. It does not seem necessary to give a
 detailed discussion of this question because I feel that the
 English gilds were a natural development from their economic
 political, social and religious environment. Such associations
 of different countries and periods may resemble one another
 greatly when they take their rise under similar conditions.

¹ Blakely 9.

² Gross 176.

² Brentano CXVIII.

³ Brentano LXXX.

⁴ Brentano LXXIV & LXXIX

⁵ Seligman 8.

Cotton 6.

Bateson 134.

Bain 3.

Lambert 13.

⁶ Gross I 169-170

mento ab mil'600", es lo que habrá hecho que una persona que sea de 10
años sea ya "grande". Puedes alegar que el VEDAD es
muy poco, pero, como bien dice el autor, el VEDAD es
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If we follow the tabulation of the Brentano School we should have four types of gilds; 1. family; 2. firth; 3. religious or social, and 4. mercantile or town. Other authors would eliminate the first, the family gild.¹ It would seem that the earliest English gilds had no connection with trade or industry but were voluntary associations formed for a variety of purposes principally religious, social, or political.² The Peace or Firth Gilds of Anglo Saxon times were organized for the protection of their members and the pursuit of criminals, being a sort of volunteer police.³ From the earliest times, the English appear to have recognized the responsibility of each of the gilds for its members' actions and their liability for keeping the peace. The first trace of these are in the laws of Ine, (7th Century) according to Brentano,⁴ although Gross claims that there is no mention of them before the ninth century.⁵ From the early times, too, organization existed in the form of semi-religious clubs or benefit societies, the membership being voluntary and quite unconnected with trade. Several of such gilds are mentioned in the Anglo Saxon Chronicle.⁶

These religious gilds were probably older than the social ones. At any rate the Exeter statutes⁷ show they were developed by the eleventh century, including with their religious functions all sorts of charity such as the aids to poor scholars, the maintenance of schools and the payment of school masters.⁸

Schools at Coventry, Worcester, Ludlow and Bristol originated

¹ Colston 5.

² Bain 7.

Seligman 10.

³ Kemble-Saxon in England, I 239.
⁴ Brentano LXXICV

⁵ Gross I 177
⁶ Cotton 7.
⁷ Colston 8-9.
⁸ Burt 51-52

in this way. This latter function subsequently became an important part of the work of the merchant and ^{the} craft gilds. The social gilds were founded on a basis of "brotherly help and ¹ moral comeliness."¹ Walford gives the following list as typical of all their charities and it is equally true of the work of the merchant and the craft gilds.

1. Relief in poverty.
2. " " sickness.
3. " " old age.
4. " " loss of sight.
5. " " " limb.
6. " " " cattle.
7. " " the fall of horse.
8. " " making of a pilgrimage.
9. " " case of loss by fire.
10. " " " " flood.
11. " " " " robbery.
12. " " " " shipwreck.
13. " " " imprisonment.
14. " " temporary financial difficulties.
15. Aid to get work.
16. Dowries for marriages of the young.
17. Relief of the deaf and the dumb.
18. " " " leprous.
19. Repair of bridges. ²
20. " " churches.

The firth, the religious, and the social gilds, before mentioned, were of the period before the Norman Conquest, but following that, we have the marked development of the merchant and the craft gilds, which took over the work of these gilds. This marked development is probably in a great part due to the fact that the Normans kept up their intercourse with their continental kinsmen.³ As Green says, "After the Norman Conquest, the commercial tendency became universal; union is no longer that of the town gild but the merchant gild."⁴ The first statement

¹ Walford 18.

² Walford 6.

Cunningham 221.

³ Cunningham Eng. Ind. 118-133.

⁴ Ashley Woolen Ind. 35.

⁴ Green 169

in this paragraph may be questioned by those who oppose Gross's theory and hold to Brentano's idea of the gild being indigenous to soil, but I agree with Gross in thinking that the history of the merchant gild, at least, began with the Norman Conquest,¹ the fact that it is not mentioned in Anglo Saxon times fixing its origin soon after The Conquest.

The increased communication with the continent, and the better international security through the control of strong kings, expanded trade and industry, on which trade depends, beyond the narrow limits of Anglo Saxon times. This expansion made the mercantile element stronger in the towns. As Gross says,² "Not until there was something important to protect, not until trade and industry began to predominate over agriculture within the borough would a protective union like the gild merchant come into being." He goes on to say, "whether it was merely an organization of the older gilds or a spontaneous adaptation of the gild idea to newly begotten trade interests, or a new institution directly transplanted from Normandy, we have no means of determining definitely." The greater stimulus probably came from Normandy because the gild merchant existed at this time³ in Northern France and Flanders. The first mention of an English gild merchant in the town charters is soon after the Conquest in the case of Burford (1084-1107). Still another town⁴ was Canterbury, 1093-1107, in the time of Anselm's archbishopric. There is likewise a reference to Bristol in Domesday Book when⁵ the town of Rhuddlan was granted the law and customs of Hereford,

¹ Gross 173.
² Gross I 4.

³ Gross I 4.
Cunningham 130, 186.
⁴ Latimer 2. Plenty 40.

⁵ Gross I 5.
Latimer 2.

and Bristol (Domesday I 269). ¹ "All reasonable gilds" were granted to Bristol by Robert, Earl of Gloucester and his son, (1109-1173), this charter form being reissued many times. Beverly, too, has one of the oldest charters, ² dating its hanse from the charter of Henry I; "The men of Bristol to have their Hanshus as the men of York have theirs." In later copies, hanse appears as gild merchant. ³

Soon after this, the number of such towns multiplied through charters issued under the Norman and the Angevin Kings until they grew to the point where it is possible for Gross to make a list of one hundred and fifty. ⁴ Cheyney considers that Gross has proved his point in regard to one hundred of them. ⁵ Miss Harris goes still further, and says that two-thirds of the English towns had merchant gilds. ⁶ It is worthy of note that London is not in this list, Gross considering with others, that it probably never had a regular merchant gild. Brentano says that perhaps there was one. ⁷

It is necessary to recognize the fact that once the association was formed, the consent of the monarch was absolutely necessary to give the merchant gild strength, legally and economically. To be sure, great manor lords, as in the case of Bristol, before mentioned, sometimes undertook to grant the privilege of having a merchant gild to towns in their demesne. ⁸ According to Seligman, the usual procedure in obtaining a charter permitting such gilds was as follows: 1. the burgesses (free citizens of the

¹ Bateson 134

⁵ Cheyney Eng. Towns and Gilds II 123

² Gross I 55.

⁶ Harris 7.

³ Lambert 72.

⁷ Brentano XCIII

⁴ Gross I 5.

⁸ Walford 21. Cunningham 219.

town) formed a gild merchant with its usual customs and privileges;

2. They petitioned the Crown to grant them the right to have "reasonable gilds" like those of some neighboring towns, (Bristol, etc.) 3. They asked for the right to have their hanse and gild hall. For example, the town of Ipswich obtained a charter

from King John, in 1200, in the common form. "John by the Grace of God, King Know ye that we have granted, and by our present charter confirmed to our burgesses of Ipswich with all its appurtenances and all its liberties and free customs, to be held of us and our heirs hereditarily, paying annually at our exchequer the right and customary form at Michaelmas term."

It was often possible for the towns to obtain their favorable ¹charters because their rulers were short of money. In the beginning, the Kings generally left the towns very much alone, ²provided that they received their money payments.

As Davis says, "in the sphere with which the Crown had no desire to meddle, the instincts of association and cooperation found free play, seldom if ever had society been more prolific of corporations formed to further the purpose of religion; of charitable relief, of education, of trade and of commerce, than it was in the twelfth and the thirteenth centuries, and nowhere is the progress of mediaeval society more clearly to be traced than in the history

³of these corporations under the Norman Kings." The gild merchant was at its height during the twelfth and the thirteenth centuries.

It was not until the end of the twelfth century that the Crown became the controlling force in economic life in England. In 1197, the Assize of Measures was passed, fixing standard measures for all the market transactions. To be certain that the King's

¹Gibbons 25.

²Gibbons 25.

³Cheyney Ind. & Soc. 64.

measure would be their standard, the towns were ordered to affix their seals to all measures within the limits of their town, the Assize of Bread and Ale passed in 1212, extended the principles of the Assize of Measures.

About 1250, there were nearly two hundred chartered towns, differing from the older purely agricultural villages. London probably had a population of 25,000, York and Bristol, perhaps 10,000. The greater number of towns had between 400--1500 residents.¹ Those having cathedrals and so bishoprics were called cities, all others being called boroughs.² A town might become a free borough without having a merchant gild but this would be an exception, not the general rule, because the possession of merchant gild seems in most cases the precursor of a royal charter of privileges.³ All these towns differed among themselves, but all had a common element, the receiving of a charter. The first charter was apt to be rather vague but with each reissue, the town gradually gained additional privileges. Such a charter usually gave the town the right to preserve its ancient customs; those recognized by the inhabitants of the town, together with certain privileges and immunities, including the right of self-government, the right to control the trade of the town, the administration of its property-rights, its internal affairs generally,⁴ and the election of officers to carry them on.

The townsmen earned their living by trading, manufacturing or hand-craft. "Trade giving character and existence to the town and the gild merchant growing up in each town to protect,

¹Hilbert 17.

²Hilbert 17.

³Brentano XCXII.

⁴Cheyney 58-61.

Hain 10.

Hilbert 19.

to and regulate such trade."¹ The gild membership was not co-incident with citizenship because outsiders were sometimes admitted to the gild, but generally speaking in these earlier times all citizens were gildsmen.² The gild merchant included those regularly engaged in selling, whether merchants who merely bought and sold goods, or artisans who made and sold their products. Penty gives as the reason why craftsmen joined the merchants,³ in these early days, the fact that the towns were so small. In Shrewsbury for instance, we find one gild of only nine members. Of these nine, one was a fisherman and one was a butcher, the others being scattered among merchants and craftsmen. It is to be noted that if villeins were resident in a town "for a year and a day" without having been located by their former lords, they became free from their serfdom, and might become gildsmen. For instance, Gross quotes from the Charter of Canarvon, (11, 158-159). "We likewise grant them and their heirs, that if any villein remain in the town, and hold land in it, and be in the same gild and house, and lot and scot, a year and a day, without being claimed, then he cannot be reclaimed by his lord but may remain free in the said town."⁴ Membership in the gild gave a townsman a commercial status. He had a wealthy body behind him so he became a person of credit and his promise to pay for goods was more respected than that of the merchant who had no such backing to uphold his reputation for honest trading.

It was the duty of the merchant gild in each town to preserve

¹ Bain 10.
Cunningham 222.
Usher 174.
Tappan 233.

² Cunningham 345.
³ Penty 41.

⁴ Cunningham 222.

the monopoly of town trade for its members because as Schmoller suggests, town prosperity could only rest on corporate selfishness.¹ In the words of Johnson too, this was the period of town economy "when each city and its neighborhood was looked upon as a self-containing economical unit, based on a jealous protective spirit."² Bain says: "Protection is their infant cry as protection has been the infant cry of all new countries and peoples over the civilized world."³ Many towns had included in their charter "so that (and that) no one who is not of the gild may merchandise in the same town except with the consent of the Burgesses."⁴ The gild then became the department of town administration whose function it was to regulate trade. Many such regulations have to do with the rights of foreigners within the town.

To the mediaeval gildsman, a non-resident of the town was a foreigner, whether he lived near the town, elsewhere in England, or on the Continent. Although the narrow minded gildsmen saw that to exclude strangers entirely would hurt their own interests and the prosperity of their town, nevertheless, these foreign merchants were hemmed in on all sides by restrictions. For instance, while they paid tolls on all wares that they were allowed to buy and to sell in the town, gildsmen were either exempt or had lower rates in their favor, this fact being recognized as a preeminent privilege belonging to gild membership.

In many towns, some gildsmen were forbidden to keep shop or to sell merchandise at retail. What is more, there was a

¹ Schmoller (quoted by Usher) Bain 10.

² Usher 134-135. Johnson 4.

³ Bain 10.

⁴ Badford 16. Worcester 272.

⁴ Hereford 110. Preston 194.

royal statute of 1275 to that effect.¹ In many cases these regulations probably applied to some staple commodity of the town such as cloth, leather, wool, fish, meat, etc.² In a few places, foreigners were forbidden to keep wine taverns, but they might retail wine from ships. For instance, from the Reading statutes quoted by Gross, "Also, no foreigner shall buy corn on market day before three o'clock, unless he be a person of distinction, and if he buys, he shall lose his corn and remain at the mercy of the Provost."³

"Also, no foreign fish monger who brings fish to the market to sell, shall cut up his fish to sell, except with the permission of the stewards or bailiffs; and no foreigner can have license to do this, if any gildsmen has any to sell."⁴ There are also similar regulations relative to tanned leather, linen and woolen cloth.

Some towns forbade gildsmen to form partnership with a stranger or even to share with him the profit from the sale of wool or other merchandise. Leicester in 1260, was an example of this.⁵

These rules were, however, usually suspended during fair times, and in most places on market days. Reading, for instance, "Also no foreigner shall bring tanned leather to sell in the town of Reading, at any time of the year, except only during fairs,

¹ Gross.

¹ Cunningham 220.

² Johnson 19.

Bourne 19.

³

Johnson 26.

Tappan 233.

Gross 145.

Kilkenny 11 134.

Heath 176.

³ New Castle in Lymme 180-195.

Badford 16.

Southampton 218.

Westford 250.

⁴ Cheyney Indus. & Soc. Hist. 62.

and if anyone does, otherwise, let his goods be seized by the hands of the stewards and he shall be at their mercy." "Also no foreigner shall retail in the market linen or woolen cloth, except at the time"¹ The gildsmen were wise enough to see that more complete trade freedom on market and fair days attracted more people to the town market and so helped the town prosperity.¹ In most towns, strangers were expected to show their goods in the common hall where they could be easily inspected, or some other specified place. As late as 1911, I saw this custom followed at Saumur, France, where traveling caravans thus exposed their goods for sale in front of the Hotel de Ville.² Old chartered towns like Exeter, York and Winchester rigidly enforced prohibitions along the above lines. In London, in the regulations of 1275,³ we find, "a strange merchant may lodge where he pleases but he shall not sell by retail; as for instance, fustic woods, he shall not sell less than twelve of them, and if he has pepper, cinnamon, ginger, alum, hazel wood, or frankincense, he shall not sell less than twenty-five pounds thereof at a time. If he buy girdles, he shall sell not less than one thousand and twelve at a time. If cloth or silk, wool or linen, he shall sell them whole; if he buy wax, he shall sell not less than one quarter. Foreign merchants, also shall not be allowed to buy dyed cloths, whole, wet or to make dyes or any work which belongs to the citizen."⁴

There were also definite regulations forbidding the foreign

¹ Gross 1 45.

² Gross 1 47.

³ Gross II.

³ Bristol 24.
Drogheda 58-59.
Kilkenny 134.

³ Lynn Regis 156.
⁴ Bourne 19.

merchants to buy certain goods, notably wool, hides, grain, untanned leather, unfulled cloth, etc. probably natural products which the native merchants needed in their trade, or goods which were scarce in the home market. Sometimes, this regulation was enacted primarily to prevent the resale of the goods. One of the narrow Southampton ordinances reads as follows:¹

"And no one shall buy anything in the town of Southampton to sell again in the same town, unless he be of the gild merchant or of the franchise; and if anyone does and is found guilty, all that he has thus bought shall be forfeited to the King - - - and no one except a gildsman, shall buy honey, suet, salt, herring, or any kind of oil, nor mill-stones, nor fresh leather, nor any kind of fresh skins - - - nor keep more than four quarters of corn in his granary to sell by retail, if he is not a gildsman; and if anyone shall do it and be found guilty, that which he keeps shall be forfeited to the King." Of course, in the enforcement of the ordinance, an outsider would not be given a fair trial because his judges were prejudiced from the first.

Dr. Gross quotes another Southampton ordinance showing the gild merchants right of pre-emption even more clearly. "And no simple inhabitant (this shows class distinction already well developed) nor stranger shall bargain for, nor buy any kind of merchandise coming to the town before burgesses of the Gild Merchant, so long as a gildsman is present and wishes to bargain for or buy it; and if anyone does it and is found guilty, that which he buys shall be forfeited to the King." In connection with this close monopoly, Usher, who declares himself a radical, says of this method:

¹Gross 1 46.

²Gross 1 48-49.

³Usher 175.

"Both town and gild have left record of a policy of the closed door, but it is easy to forget that pains were taken to get everybody inside before the door was closed." But he later agrees with Gross and others, that in seaports, the officers of the gild had the exclusive privilege of making the first offer to purchase cargoes from newly arrived ships, these wares being sold to gild brethren at a small profit."¹ In like manner, at Ipswich, the gild Aldermen had the monopoly of dealing in millstones and various other kinds of stones, the profit being devoted to the maintenance of the fraternity.

Gildsman were expected to share all purchases with their fellow members, any gildsman feeling justified in claiming a portion of such goods at their original purchase price.³ A Southampton ordinance decreed that "a gildsman shall have a share in all the merchandise which another gildsman buys, if he is on the spot when the merchandise is bought," and at Berwick, even those not present, could share if they paid the buyer twelve pence profit. Obviously these regulations tended to do away with the middleman and keep prices down. They also counteracted regrating and forestalling of which more will be said later. The following Reading ordinances certainly were made for that purpose: "Also no stranger shall bring herring to the market to sell on any day of the week excepting only one market day; and sell his fish in the market a second day, he must sell two

¹ Gross II 66-68 Dublin
Kenfig 133
Liverpool 148.

² Gross II 122, 127, 129. Newcastle 185
Ipswich
³ Gross II
Chesterfield 46. Cunningham 221.
Lynn Rigis 161
Boston 352.

herrings more than he did the day before, or he must go away and who dares otherwise shall be at the mercy of the stewards." "Also, if a stranger who brings herring or fish to sell in the market, has a remnant, and wishes to sell it, no one of the town shall buy it, if the market cannot provide for his neighbors, just as the stranger sold it the day before, and if no one buys it before three o'clock"

No strangers were expected to remain in the borough for the purpose of selling their goods more than forty days.¹ During that time, they were closely watched for fear that they might corrupt a gildsman and so be able to buy or to sell surreptitiously in disobedience of gild statutes.

Any brethern convicted of helping a stranger in this way was liable to expulsion from the gild for this offence. The Neath ordinance of 1542 reads as follows: "Item that no Burgess, gensor nor inhabitant shall colour anie estranger within his house, privilie of openly to buy or sell any manner merchandise against the Royaltie and freedom of the Towne, unless it be to a Burgessse of the saide, upon paine of amerciament of tenne shillings."² Dr. Gross translates the following from the Southampton ordinance showing further restrictions upon intercourse between gildsmen and outside merchants.³ "No one of the gild nor the franchise shall own anything belonging to another as his own, by which the customs of the town may be diminished; and if anyone does it and is found guilty, he shall lose his gild and his franchise and the merchandise thus avowed

¹Gross II Bridgewater 24. Hull 110-111 Canterbury 37. Chester 40-41

²Gross II Andover 10-11. Dublin 66-68, 76, 80 Leicester 139-144

³Neath 177. ⁴Gross II 177, 144, 139.

shall be forfeited to the King." Further partnership with a foreigner was also forbidden by the town thus: "No one under color of purchase, nor under any kind of color, shall sell the merchandise of the merchant stranger by which that merchandise may be sold for more than the merchant can sell it by his own hand, the men of the town thus losing their profit, but merchants who bring their goods to sell, shall sell them by their own hands."¹ In early times, this restriction was carried so far at Leicester that a gildsman was not even allowed to share profits with an outsider from whom he had borrowed money for any undertaking, although this rule was relaxed in 1260.² Sometimes, however, "ungilded" merchants could buy temporary or partial relief from these embarrassing restrictions but these frequently took the form of extortion.³

There were definite tariffs in many towns, for instance, in London. "Every load of poultry that comes upon horse shall pay three farthings, the franchise excepted . . . If any man brings any manner of poultry upon a horse and lets it touch the ground, such persons shall pay for stallage three farthings, and if a man carry it upon his back and places it upon the ground, he shall pay one-half penny."⁴ There were prohibitions to export goods when the local supply of necessities was small. I quote again from the London market regulations to prove this point. "No butcher, or wife of a butcher shall sell tallow or lard to a stranger person for carrying to the parts beyond the sea; by the great dearness and scarcity that has been therefore in the city of late" "Also, no person shall carry corn or malt out of the city under penalty of forfeiture." It was likewise forbidden to sell bread made in one part of London in another part under separate jurisdiction probably

¹Gross II 144, 139.

²Gross I 49.

³Totnes 235, 241.

Bury St. Edmunds 33-34.

Chester 42-43.

Lincoln 147. Day 50.

Wallingford 247.

Winchester 264.

so that the baker of any one part would not benefit at the expense of those living in another part.

Schmoller sums up very well the reason for all such regulations when he says: "Market rights, toll rights, and mill rights are the weapons with which the town creates for itself both revenue and municipal policy. The soul of that policy is the putting of a fellow citizen at an advantage and of competitors from the outside at a disadvantage. The whole complicated system of regulations as to markets and forestalling is nothing but a contrivance so to regulate supply and demand to the townsman who buys and the one who sells that the former may find himself in a position as favorable as possible, the latter as unfavorable as possible, in the basis of bargaining. The whole all rounded law as to strangers and foreigners was an instrument wherewith to destroy, or at all events to dominate the superiority of richer and more skillful competitors from the outside."

The gild merchant also regulated trade between towns. There were many trade agreements providing for mutual concessions and advantages. For instance, Southampton had such agreements with seventy towns or other trading bodies. There were continuous correspondence relative to disputes, return of fugitive apprentices, requests for justice to the town's citizens, and threats of reprisal if such were not obtained. "The merchants of any one town did not, therefore, trade or act as separate individuals but depended on the prestige of their town, on the support of town authorities or on the privileges already agreed upon by treaty."³ Non-payment of debt by a town merchant made any fellow townsman liable to seizure if he went to the town

“Mai înțelește sănătatea tău, nu ce să urmezi sănătatea
oamenilor sănătoși și sănătatea oamenilor sănătoși.”

“Dacă urmărești sănătatea oamenilor sănătoși, vei urmări sănătatea oamenilor sănătoși.”

“Dacă urmărești sănătatea oamenilor sănătoși, vei urmări sănătatea oamenilor sănătoși.”

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“Dacă urmărești sănătatea oamenilor sănătoși, vei urmări sănătatea oamenilor sănătoși.”

where the debt was owed, and he might be held there indefinitely until the debtor could be forced to pay. This was prohibited by statute of Edward I in 1285, but was still enforced against a real foreigner. Schmoller in his Mercantile System says: "The town market formed a complete system of currency, credit, trade tolls, and finance" and all that I have said goes to prove this point.

Membership was obtained by inheritance, succession, purchase or gift, frequent mention being made of the seats of associates which could not be alienated.¹ A would-be member had to pay initiation fees.² The amounts, of course, varied with the wealth and the size of the towns but Gross thinks that this fee was probably proportional to the wealth of the new member, much discrimination being shown in favor of the relations of gildsmen.³ An applicant for membership had to produce securities who were responsible for the fulfillment of his obligations to the gild, answering for his good behavior and the payment of his dues.⁴ The oath taken by the Dublin gild merchants is so nearly typical of oaths taken by gildsmen that I have repeated it here rather than make a detailed statement of what was contained in such an oath. It began with the oath "allegiance to the sovereign, the Merchant Gild and the city of Dublin; also you shall be true to the brethern that be merchants thereof, and them you shall maintain and support in their right against all others.

¹ Seligman 30.

² Gross 11 289-346.

Andover 48.

Guildford 91-164.

³ Gross 11 354 Bristol.

⁴ Gross 11 4-8, 90-103, 290-339.

Gross 11 81.

British Museum Library 1890.

Also you shall be true to the rules, ordinances and statutes that be ordained or shall be ordained by the authority of the masters, wardens, and brethren for the due profit and avail of the said Brotherhood; also all counsels that belong to the said Brotherhood and Guild and all other counsels that shall be moved in all assemblies for the just profit and avail of the said Guild, you shall truly and faithfully keep; you shall answer to all due summons; and duly and truly pay your quarterages; you shall not adhere to any other guild, to the hinderance and wrong of this Guild; also you shall not merchandise with any un-
 freeman's goods, or be broken for an alien, to the wrong of the
¹ Brotherhood" It is worthy of note that in this case as in many others, the oath of a citizen resembled this oath of a gildsman. Under certain conditions, foreigners might
² become gild members; ³ also churchmen and women, but they
⁴ could not become burgesses. I will say more of the membership of women under craft gilds but here wish to quote two interesting ordinances connected with them. At Stratford on Avon, it was customary for the gild of the Holy Cross to have an Easter
⁵ Festival where the poor were cared for and it was decreed that "every sister of the gild shall bring with her to this feast a great tankard . . . Shall be filled with ale and afterwards the ale shall be given to the poor . . . but if any sister does not bring her tankard, as is above said; she shall pay a half-penny. Also if any brother or sister shall quarrel after the bell has sounded, quarrel or stir up a quarrel, she shall pay a half-penny."

¹ Gross II 81.
² Hilbert 21.

3 Gross I 235.
 Totnes.

4 Gross II 114.
⁵ Ipswich 123.
 Smith 217.

The reader naturally wonders why the women apparently forgot their tankards. The ordinance in Southampton, where women controlled the wool packing industry, ordered that the members "were not to scold one with another," although ordinances of other towns ordered the men likewise not to scold so that the women apparently did not monopolize that bad habit.

At the head of the merchant gild was the Alderman who probably paid something for his position,¹ wardens or stewards and occasionally officers such as seneschal, ushers, clerks, deans, and chaplains, all these officers usually being elected by the gild members.² Meetings were held annually, semi-annually, and quarterly, according to the custom and the locality.³ At these meetings, new members were admitted, punishment for disobedience to the gild laws inflicted and new ordinances made.⁴ At regular or special meetings for that purpose, banquets were held with "drynkyngs with spiced cakebrede, and sondry wynes."⁵ Among the fines and entrance fees were a banquet, a ball and beer or wine which were doubtless drunk at these feasts.⁶ The gild organization was primarily to see that all members had work. This was done by limiting the number of apprentices in each trade and by making sure that a member's work was good. For that reason, every member was obliged to permit examination of his materials both before and after they were made up.

1

Seligman 29.

2 Gross II

Chester 43.

Dublin 70-71.

2

Ipswich 121.

Lynn Regis 162

3 Winchester 260.

Gross II.

3

Andover 48.

Dublin 68-70

4 Andover 289-347.

Lambert 101.

5

Gross II 93

Guildford

103.

Bury St.

6 Edmunds 34.

Tappan 130

Cheyney 6-7

No one was allowed to work Saturday afternoon, Sundays, holidays or at night. The reason for this was that it was difficult to inspect night work, and because few articles could be well made by the night lights of these days. The Lincoln spurrier's forbade their members from working longer than from daylight to curfew, "by reason that no men can work so neatly by night as by day" and added that if they were allowed to work by night, they would "idle about all day and get drunk and frantic, blowing up their fires, and seizing their tools at night," thus causing peril to the houses, annoyance to the such because of their noise, and becoming quarrelsome."

In the course of time, the merchant gilds lost their character as purely private societies and became closely connected with the municipal organization of the town which in many cases, ² they antedated. ³ In the words of Dr. Gross, "There are in history certain phenomena which appear as central points at which many other institutions intersect in their manifold development. Such a phenomenon is the Gilda Mercatoria in whose history not only the development of the gilds but those of trade and industry; the rise of municipalities, the foundation of ideas of corporation and citizenship as well as other mighty questions are interwoven in the closest degree. Through the enforcements of trade regulations, the gilds became so closely connected with the town government, that Brentano and his followers insist that they were identical with this but Dr. Gross's theory that they were never quite equivalent, seems more probable.

During the fourteenth and fifteenth Centuries, in practically all English towns there was a gradual decadence of the merchant gilds. According to Brentano¹, the more independent the burghers became, the less they needed assistance from the general body of crafts in defending their rights, and obtaining new ones, and the greater became their degeneration. Many gilds like these of Coventry and York, entirely disappeared only to be re-organized in later times, but with their character much modified. In other places, these gilds were replaced by the Merchant Adventurers, a large union having branches all over the British Empire.² English merchants who exported goods in their own vessels, were usually spoken of as Adventurers, Venturers or Merchant Adventurers. In still other towns, the merchant gilds became mere craft gilds, as at Exeter. Penty gives as a reason for this the fact that practically all craftsmen of that period owned land and rebelled against the domination of the smaller number of real merchants.⁴ In others, there were unions of different gilds into one big organization.⁵ Sometimes, such combinations are interesting. At York, the merchant gild formed a union with the grocers, and apothecaries. At Ipswich, 1576, all gilds were combined into four companies. The Tailors included cutlers, smiths, barbers, chandlers, pewterers, minstrels, pedlars, plumbers, millers, coopers, shearers, glaziers, turners, tinkers, and of course, tailors. The Drapers consisted of drapers, joiners, carpenters, inn-keepers, freemasons, bricklayers, tilers, carriers, casket workers, surgeons, and clothiers. In Norwich, 1300 to 1350, we find 147 different crafts but in the same town about a half⁶

¹Brentano CXIVIII. ³Cheyney 164. ⁵Walford 43. ⁵Seligman 40.
²Seligman 44. ⁴Penty 41. ⁶Gross I 123. ⁶Usher 185.

century later, only 63 were represented in the Corpus Christi Procession.

It is worthy of note that the names of the various occupations came to be used as the surnames of these associated with them and so the family names of today.¹

Larned says: "A sordid taint had been given to the commercial spirit of the towns. They were ceasing to be communities of self-governing freeman and were taking on an aristocratic form." Everywhere rich citizens filled offices and carried on the work of administration and their representatives controlled many town councils, which were becoming close corporations, their official acts being performed by a few wealthy men. Gross thinks the reason for this was the fact that many citizens wanted to get out of office holding and that the population of the town

³ had greatly increased. During the sixteenth and ^{the} seventeenth centuries, the privileges of merchant gilds were occasionally granted but only as a matter of form. (Lancaster 1591.) By a judicial process of elimination and absorption of powers by other bodies, the merchant gild had become superfluous. Finally in the case of Winchester vs Wilkins, in 1705, the judges themselves confessed their inability to offer an explanation of the term gild merchant which shows that by this time the term had become meaningless.

In general, the merchant gilds were gradually displaced by the craft gilds which had their rise in the thirteenth century.

¹ Webster 535.

² Hist. of Eng. 45.

³ Gross I 110.

A few of the crafts were older than the merchant gilds, notably in London, where they were prominent even from the beginning, ¹ their records being the oldest in England. ² This was because the London crafts had the right to confer the freedom of the city. ³ Up to 1835, membership in the city company was necessary to full citizenship and even today the body of crafts known as the Common Hall, jointly with the aldermen, elect the Mayor and other civic officers. ⁴ Some of the crafts are as old as the merchant gilds, records showing them existing as far back as the ⁵ twelfth century, charters being given to them by John and Henry III. Exeter had one of those. In general, however, the craft gilds rose in the following fashion. In early times, the craftsmen were regular members of the merchant gild of their town, trading themselves in the raw commodities of their trade. ⁶ By a natural process, however, many members of the merchant gilds became wealthy and tyrannical so that from the ninth to the twelfth century, some of the gildsmen excluded the landless ⁷ men of the handicrafts from the gilds. In order to protect themselves and their trade, these craftsmen had to reorganize, really doing so, however, along the lines of the old organization; whose laws were known to them. Each craft gild had to do only with its own particular industry. Miss Kramer gives the following stages as typical of their transition: (1) Admission of artisans; (2) All classes in the beginning interested in gilds; (3) Those in the same neighborhood, joined for social intercourse; (4) Artisans felt that they needed a closer union;

¹ Walford 243.
Gross 120.
Seligman 45.

² Bain 19.
³ Bain 22.

⁴ Smith Enc. B-XI 251.

⁷ Brentano CXVI Seligman 54,
Johnson 22-23

⁵ Merewthers & Stephens 360.
⁶ Seligman 55.
Walford 32-33

(5) They came together to make rules for their trade according to their ideas. (Perhaps they found their interests neglected.)²

(6) They kept their meetings secret because they were still members of the gild merchant and (7) when the gild merchants heard of this, they summoned the artisans before them for trial. The first to break away were the weavers and the fullers, probably because they did not produce goods solely for the local market, and so would feel the pressure of the middlemen first. This was also because of the fact that backed by the Crown, the Flemings had originally introduced weaving as an art into England, and so part of these weavers had been aliens.

This tendency to form separate craft gilds became very marked under Edward III, when we find them existing in many towns side by side with the merchant gilds.² These craft gilds developed very rapidly in importance until, in the fourteenth century, they snatched the control of the town from the hands of the gilds or shared it with them.³ In time, the craft gilds became as exclusive and narrow in their policy as the merchants' gilds had been, and so the government interfered in defense of the general trader.

The merchant gilds did not, however, allow the craft gilds to usurp their former supremacy without an attempt to maintain their importance politically.⁴ In the twelfth, ^{the} thirteenth and the fourteenth centuries, craftsmen were freely admitted to the

gild merchant.⁵ At that time, the word merchant applied to

¹ Kramer 25.

⁴ Brentano CXVI

² Penty 40.

⁵ Seligman 58-59

³ Seligman 54.

all those who traded and the line between merchants and craftsmen was not clearly defined. In the twelfth and the thirteenth centuries the craft gilds had not become like the merchant gilds, an integral part of the machinery of the town, but were merely tolerated in return for the yearly tax paid to the king. With a grant from the king, which they purchased, the craft gild usually obtained the town monopoly of working and trading in their branch of the industry. Then, every creation ¹ of a new gild weakened the gild merchant. Brentano insists that from this time on, the struggle between the gild merchant and the craft gilds in every town was most bitter, producing, ² in fact, almost a condition of civil war. Finally, the crafts, aided by changes in economic conditions and supported by public opinion, won, the reason for this being that a separate craft seemed to promise better work and products for the consumer.³ Gross holds, however, that the instances of violence produced ⁴ by Brentano were exceptions rather than the rule. It seems to me that Brentano's opinion was colored to a great extent by his knowledge of gild disturbances in the cities of the continent and that he did not realize the average Englishmen's sense of law and order even in these early days. There were gild disturbances in London and Exeter but as Dr. Gross points out, these instances do not seem enough to prove Brentano's point. Seligman goes still further and says that pressure ⁵ from royal authority would make it almost impossible.

Once organized, the craft gildsmen provided for the

¹ Gross 64, 68, 94, 138, 143,
191, 198, 215.
Ashley I 174,
Gross I 775

² Brentano CVII-CVIII
³ Day 49.
⁴ Gross I 170-171
⁵ Seligman 57

maintenance of the customs of their craft, punishing gild members who disobeyed the ordinances. Generally, the crafts had no political functions, (in this they differed greatly from the merchant gilds) being merely economic organs of the town.¹ Usually, this body had the right to establish and even incorporate craft gilds, retaining supervision over them after that time.² Scarcely anywhere did craftsmen have independent government and supervision over their association. The amount of independence that they could show towards city authority and the possibility of carrying out their trade rules and making them effective, depended on whether all who carried on the same trade could be made to belong to the gild of that trade. Some would naturally not be willing to abide by the rules and it would be impossible to prevent their disobedience or to enforce gild regulations of trade in a lawful manner unless the gild had already been acknowledged by the over lord or the town burgesses. Many towns disapproved of charters from the Crown to craft gilds because they thought them dangerous. Once such permission was obtained, however, protection would come as a matter of course. At Oxford, the Weaver's gild paid a yearly tax for the privilege of monopolizing its craft. From the time of Henry I on, the London Weavers had paid a rent to the Crown for the right to hold their craft gild and government. Although they did not have the political power that the old merchant gilds had had, they maintained in all towns the basic principle of the economic policy, "the right to live freely and independently on an industry based on small capital and labor."³

The craft unions were known by the names of Mystery,
¹ Faculty, Trade, Fellowship or Livery Companies. In London, they were called the Livery Companies; in York, the Thirteen Greater and Lesser Gilds; in Newcastle, the Twelve Chief Mysteries, Fifteen Bye Trades and Other Smaller Societies. (The smaller the town apparently the weightier the name.)

Rapid commercial and industrial development meant more craft gilds, their growth keeping pace with the increased division of labor. It is to be noted that in neighborhoods where the agricultural element was strong, there were few if any craft gilds, and the merchant gilds held their power longer. The reign of Edwards I, II, and III, were important for their industrial and craft development.

The weavers formed the earliest of the craft gilds but later almost every form of industry in any town had its separate craft gild. The number of gilds was larger because at this period, even closely allied trades had their gilds. For example, the glovers, pocket makers, skinners, white tawyers and girtlers each had their own gild. Another such example, were the gletchers, the makers of arrows, the bowyers, the makers of bows and the stringers, the makers of bow strings. The division of labor is also well shown in the following: the spinners bought the wool and made yarn; the weavers bought the yarn and sold cloth; the fullers bought the unfinished cloth and sold it fulled; while the dyer bought either wool or cloth and sold it dyed. Cloth was fulled by beating it and washing it with fuller's earth.

¹ Seligman 67.

Herbert II 38.

As a result of the process, the cloth thickened but lost width and length. At Norwich, cloth and leather goods were the chief articles of manufacture. The city records showed the following crafts in connection with the woolen trade: wool-mongers, weavers, fullers, shearers, dyers, wool merchants, drapers, mercers and blanket makers. The raw or unfinished leather was handled by skinners, tanners, leather dressers, leather brokers, curriers, harness makers, glovers, shoemakers, tanners, cobblers, purse makers, girdlers and cordwainers.

¹

Davis says that in every important industrial center they were anywhere from twelve to fifteen crafts connected with each of the staple industries. What is more, each craft was isolated from its surrounding fraternity. A cordwainer (shoemaker) might not patch shoes nor a cobbler make them and the painters decorated the joiner's woodwork. In making a saddle, the saddler supplied the leather, the lorimer, the metal trap-

²

pings and appointments. If any craft did the work claimed by another craft, there were quarrels. In York, such a quarrel between the farriers and the blacksmiths lasted for many years. The technical craft gild orders were contented to protect the consumer against receiving defective wares resulting from un-

⁴

skilled workers. In mediaeval times, the citizens as a whole considered that industry should be conducted for public service, carried on for the common profit and the general interest of each town. Therefore, the ordinances of these gilds all insisted that dishonest workmanship brought discredit upon the industry and those employed in it. Articles made in

¹ Davis 7-8 50
² Thrall 156.

³ Tappan 238.

⁴ Seligman 36.

violation of trade rules, were called false and the fine for
 this was divided between the town and the crafts.¹ All
 towns made rules against regrating, forestalling and engrossing.
 Regrading was buying goods and selling them again at a much
 higher price without having done anything to them to enhance
 their value; forestalling was going to the place where trade
 products were, and buying them before they were put on sale
 in the open market where all had equal opportunity for purchas-
 ing them; engrossing was the buying up of whole supplies of
 goods ("a small corner") so as not to allow for the needs of
 other craftsmen. All of these rules are distinctly contrary
 to the more modern "laissez-faire" doctrine. A Winchester
 ordinance said "merchants are called grossers because they
 do engross all manner of merchandise vendible and suddenly do
 enhance the price." There were rigid laws about selling old
 merchandise made over to look like new. For instance, "no
 regrater, who is not of the law (franchise) shall sell by retail
 old cheese, oil, suit nor wax."²

The rules of the Weavers of Bristol decreed, "If the
 threads are deficient in the cloth or too far apart, which the
 Weavers called 'tossed,' that cloth and the instrument on which
 it is worked, ought to be burnt."³ There were similar ordinances

Foot Note: I haven't found out if citizens could disregard this
 law or not, but probably not. At any rate it is
 apparent that regrating was especially henious, when
 the evil doer was not a gildsman or a citizen.

1
 Seligman

2
 Gross II 205-6.
 Reading

3
 Lipson 31.

RELATIVE TO GOODS

that were not so good in the middle as at the end. At Leicester, part of the Mayor's oath was to maintain the Assize of Bread, Wine and Ale and "all other manner of victuals and the the trespassers with them."¹ "I shall punish as the law will, I shall essay all manner of weights and measures . . . I shall suffer no forestaller or regrator dwell within the town nor the franchise of the same."² It is evident that the Mayor did not keep this and similar oaths because there are frequent references to both infringements in Parliament and borough records of penalties for delinquents. Under Edward II, the Statute of York forbade any Mayor to exercise the victuallers craft during his office because he might neglect his duty for his trade. The Coventry makers were warned by the city to discontinue their transgressions.² Seligman quotes the following: "If anyone has to do old shoes he shall not meddle with new shoes among the old in deceit with the common people and the scandal of the trade." The reason for this was that it was hard to search a shop littered with a mixture of materials. The London Pepperers' rules forbade anyone to moisten saffron, alum and ginger to increase their weights. In Bristol, there had been complaints relative to cloths fulled out of town, since they could not be sold because of their defects, until the work was done over by the Bristol fullers. The gild "ordained and agreed that henceforth no man of the craft shall full or amend any manner of cloth fulled out of the town under penalty."³ This makes us wonder how much of the complaint was really true and how much was gossip due to trade jealousy. At Exeter, there was an interesting example of trade control.³

"John Router received three yerdes of brod-cloth blew to make Master Robert Ryden a gowne; apoun the which the said Robert Ryden complayned of lackyng of his clothe. And the gowne was seen before the sayde crafte and there wasse founde no cloth wasted but there was duly proved III quarters of brod-cloth conveyed in peces."¹ The governments even fixed the prices at which goods must be sold. Many of these regulations were given up because they defeated their own ends, few merchants or artisans offering goods for sale when the price was low so that people suffered more from going without than they would have from paying the high price.²

The chief officers of the gild were called masters, wardens, and stewards, who besides being executive officers of this society, carried out gild ordinances for the regulation of their trade and saw that the customs of their craft were closely adhered to.³ Occasionally, a number of assistants were appointed to aid the Master and the Warden, the custom first appearing in the Constitution of the Grocers of London.⁴ This paved the way for the transformation of the gilds into the close corporations of the sixteenth century.⁵ No gild member could be tried concerning trade matters, before any other judges than the local trades of the town, brought however, to a certain extent under town control, because the wardens had to appear each year before the Mayor and to swear faithfully to execute their offices.

The Mayor, likewise, also decided trade disputes between

1

Smith 321.
Day 52.

3

Brentano CXXXI
Seligman 68.

4

Herbert Vol. I 46,53.
Brentano CXXXVI

the different gilds and could fine or imprison at his pleasure,
¹
 the wardens of the different companies. In addition, the
 control of the sale of all food supplies was the special care
 of the town authorities in order to prevent adulteration and
 overcharges. In early times as far as gild members were
 concerned, punishment for infringements of regulations, etc.,
²
 were principally payments in kind as fines.

Such materials were used at the gild banquets or, if
 paid in wax, were used for the candles for the shrine, or chapel
 maintained by the craft, or placed around the coffin of a gild
³
 member. In case of perjury, however, continued disobedience
 was punished by expulsion from the gild and with that went the
 right to carry on the craft. If dues were held back, the
 officers of the gild could take the debtor's tools and so pay
⁴
 the dues.

The craft regulations were very strict and detailed, a few
 being common in some form or other in every town. The following
 is an example: "no member was allowed to have tools unless
 the same were testified to be good and honest." Again no
 gild associate was to entice his brethern's customers or servants
 away from him. In order to facilitate work, artisans had to
 have special quarters in the city. This custom is still evident
 in London, Florence, Rome and other continental cities. In
 London, by the survival of the name of Pater Noster Row, behind
 St. Paul's; in Florence, by the silversmiths and wood carvers
 still grouped together, and in Rome likewise by the makers of
¹
 Smith Winchester Records, 349-409. ³
² Smith Bristol 416-420. ⁴ Cheyney 69.
⁴ Smith 416-20

Roman blankets and Roman pearls. In the fifteenth century, the Venetian ambassador wrote: "In one single street, named the Strand, leading to St. Paul's, there are fifty-two goldsmiths so rich and full of vessels, great and small, that in all the ships of Milan, Rome, Venice, and Florence put together, I do not think there would be found so many of the magnificence that are seen in London."¹

The craftsmen had the right to confiscate imperfect goods, and as late as 1541, we find them even entering the Royal Palaces to examine work done there, until they were forbidden by law to do so. Because of this right of search, there were frequent controversies between the gilds and the sellers of goods. Seligman insists that these and other regulations mentioned were to prevent fraud and the deception of the public, being due more to the compulsion of the city authorities than to any real philanthropic desire of general, mediaeval policy, the town authorities favoring these gilds because they were useful allies; and that it was not until the gilds became wealthy that they showed a philanthropic spirit in providing schools, hospitals and other charities. This seems to me a little hard on the gildsmen when we see such fine specimens of their work in museums and elsewhere. The gild ordinances provided very definitely about the width of goods, the amount of wool in them and the method of fulling. Many towns, among them Norwich, confiscated the cloth of fullers and dyers because of their disregard of city ordinances. In London, the special functions of the Burellers was to inspect cloth relative to its measurement, which according to law, was to be 2 ells (burells). This work was passed in the

¹ Johnson 53.

² Cheyney 68.

³ Seligman 67.

"merchant Taylors."¹ Even the Hoopers of Bristol were limited as to the size of their hoops and so forth. The citizens were ordered to "byne no Syngle withute it bere his lengthe and his thickness of IIII yache and halfe in hede without sape and other defautes and of reasonable makying for the byer and sellers according to the statute made for such

² vessel." In Nottingham, men were punished for selling tiles insufficiently fired. In London, several potters complained to the Mayor and Aldermen "that many persons bought pots of bad metal and put them in the fire to resemble pots that have been used and are of old brass and them sell then to the public to the deception of the public for when exposed to the heat, that moment they come to nothing and melt." Perhaps the most interesting was the one forbidding any man to employ a broker unless such brokers were officials under oath.

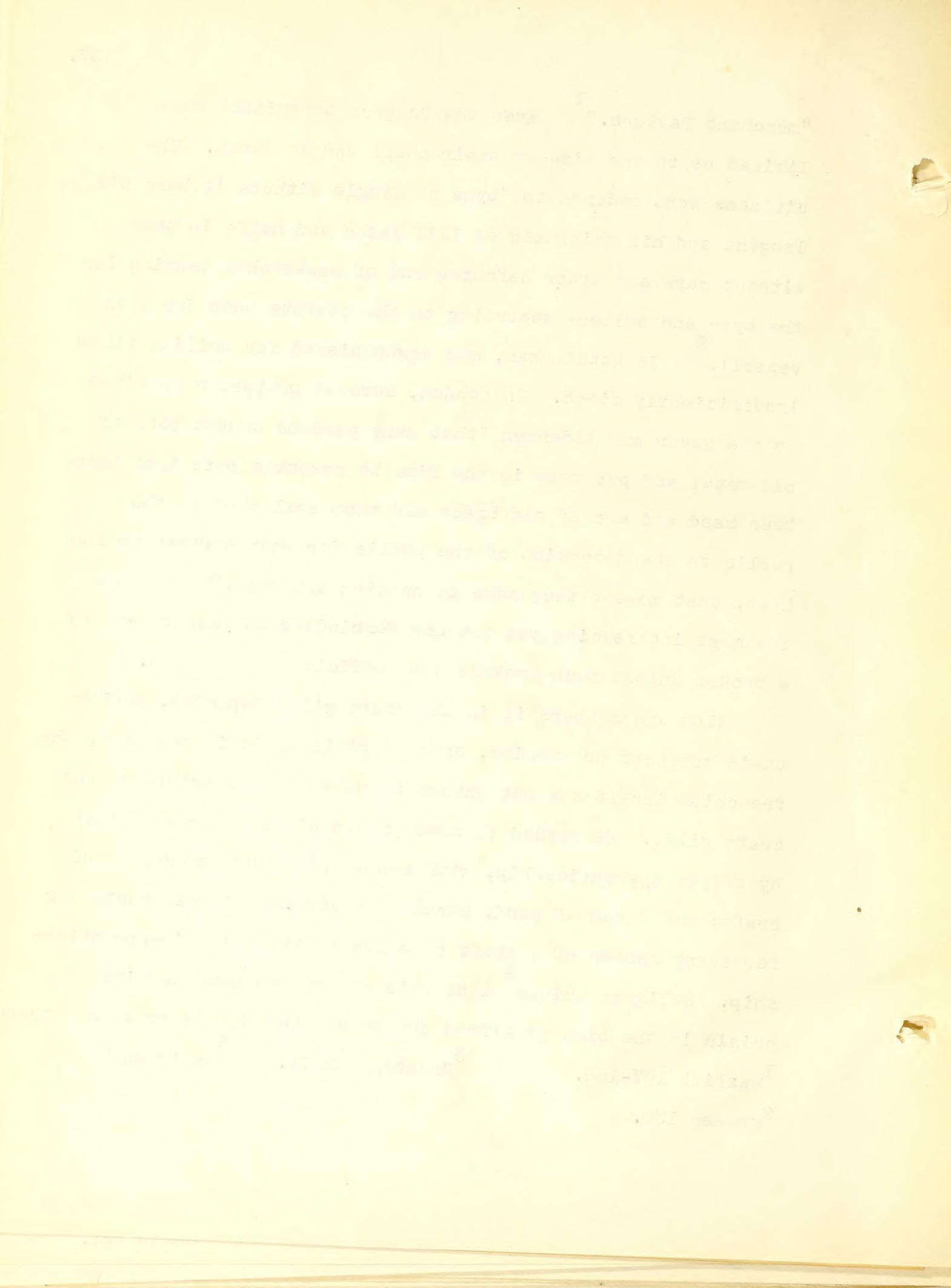
Although membership in the craft gilds depended, during their greatest prosperity, on full citizenship in the town, the franchise itself was not enough to make a man eligible to the craft gilds. He needed to have proven himself a good worker by proper apprenticeship, with surety given by members of his ³ craft; and a man of good, moral character. It was customary for every member of a craft to serve a seven years' apprenticeship. ⁴ Seligman thinks that this custom may have had its origin in the time of Alfred the Great when all "slaves were freed

¹ Hazlitt 107-108.

³ Brentano CXXIX.

⁴ Seligman 76.

² Kramer 136.



from bondage after seven years' apprenticeship. This seven years apprenticeship was shortened in the case of sons of gildsmen and their wives and daughters who were sometimes admitted. A worsted clothier named Bingley, was noted because in the indenture of his apprentices he promised to allow them ¹ two weeks a year for their schooling. Usually, full membership was reached by passing through the successive grades of apprentice, journeyman and master. If at the end of seven years, an apprentice could not buy his freedom, he could continue as ² ³ an apprentice or hired servant. Lipson says "this was necessary because in no other way was it possible to insure the permanency of practice and continuity of tradition, whereby the reputation of the gild for honorable dealing and sound workmanship could be carried on from generation to generation." A woman usually carried on her husband's trade when left a widow, and remained a member of the craft if she married, even though her new husband were not a member, although she lost her membership if she ⁴ married outside the trade. Employment of women workers were marked from the first in the woolen industry, where they acted as wool sorters, carders, spinners, dyers and weavers. One quarter of the clothe woven at the end of the fourteenth century in York was made by women. In 1396, a great part of the cloth made at Wakefield, also, was produced in "Emma Earl's Weaving Sheds." About two hundred years later, Rachel Thierry applied for the monopoly of pressing all serges in Hampshire. She was strenuously opposed by townsmen of South Hampton who declared: "The woman Thierry is very poor and beggarly, very idle, a prattling gossip, unfit to undertake a matter of so great charge. She ⁵

¹ Lipson 75. ² Johnson 53. ³ Lipson 295-296. ⁴ Lipson 27. ⁵ Lipson 75.

is very untrustworthy and we should hold them worse than mad that would hazard or commit their goods unto her hands . . . She is generally held among us as an unfit woman to dwell in a well governed commonwealth." (This sounds rather like men's prattling and certainly they did not prove Rachel lazy.)

In the fifteenth century, there was much agitation versus the employment of women,¹ on the ground that they competed with men who were said to deserve greater compensation because they fought for King and Country and because women were not strong enough to weave certain kinds of cloth. For the above reasons, weavers were forbidden to employ women in addition to those already employed by them. A gildsman was allowed to employ his wife, his daughters and his maid-servants in his trade, however.

The enrolling of the apprentice was an act of solemnity usually taking place in the town hall in the presence of the town authorities. In London even down to the present day, the ceremony is performed in the wonderfully beautiful Gild Hall.

A record was made of the enrollment and an indenture drawn up, which contained a statement of what was to be the relation between the master and the apprentice. The master usually proceeded to give the apprentice all necessary clothing, food and lodging and to teach the apprentice all that he knew about his craft. The apprentice promised to keep his master's secrets, obey his orders, and behave himself properly. The age of beginning an apprenticeship, varied with the trade, weavers' apprentices not being received until fourteen, because

¹ Lipson 35.

younger boys were not strong enough. The apprentice became a member of his master's family, being instructed in his trade by his master who was supposed to watch over his morals like a father.¹

All sorts of rules were made to keep these boys out of mischief. In Newcastle, they were forbidden "to dance, dyce, or use any cut hose, cut shoes, pounced jerkins or any beards."² Sir Francis Smith's rules for an apprentice were "he must not lie forth of his master's doors, he must not occupy any stock of his own, nor marry without his master's license. He must do all the servile offices about the house and be obedient to all of his master's commandments, and shall suffer such corrections as his master shall think meet."³ In Norwich, and some other towns disobedience by an apprentice meant doubling the length of apprenticeship!

The apprentice became a journeyman after an apprenticeship of seven years, a workman free of the trade, after an examination by the gild officials.⁴ The name came from the French, from the habit they had of journeying from place to place in search of work, or because they were hired by the day. Journeymen served for wages under masters of the gilds, and often earned enough to set up a little independent shop of their own. Then, when they were masters themselves, they were admitted to equality in the gilds.⁵ Unions were formed among these journeymen and employers were all agreed that it was

advisable to check unions and combinations among their workmen.⁶

¹ Brentano CXXX

⁴ Lipson 27.

⁷ Harris 228.

² Cheyney

⁵ Cheyney 61.

⁸ Lipson 285.

³ Seligman

⁶ Seligman 61.

for obtaining better wages, but in the differences that arose between the masters and the journeymen, strikes not being uncommon, the success usually went to the journeymen.¹ The fact that journeymen began to form yeoman gilds, however, shows that they were not enjoying the benefits of the already organized crafts. Although opposed by the officials at first, in many towns the journeymen made good their rights to have separate gilds.

Another feature of craft regulations was the fixing of wages and prices. Among the rules of the London Shearmen, we find if a master employed a foreigner it was the duty of the gild authorities to see how the foreigner worked and fix his salary for the four years he was bound to service, for wages depended on the capacity of the wage earner and the length of his engagement. Gildsmen who opposed these wage rules made by their brethren, were often roughly handled. In the case of the Dyer's Gild, at Coventry, according to Lipson,³ when a number of gild members failed to follow the wage scale, Irishmen and Welshmen were hired to waylay and kill them. The Bristol fullers decreed "the masters of the craft shall not give more to the men of the same craft than 4 d a day, beginning from the first Monday in Lent till the feast of St. Michael next ensuing, and from the said feast of St. Michael till the same Monday in Lent, 3 D a day. And if any of the masters pay more to the working men, than is above ordained, he shall be fined ***** xl j d to the commonalty and xl j d to Craft. And if the men take more from their masters they shall pay entire **** xl j d

¹ Lipson 285.

² Cheyney 148.
Penty 43.

³ Lipson 32.
⁴ Smith 285.

to the community ****and if the men are rebels or contrarious and will not work, then the free masters shall have power to take them before the Mayor." The Plague of 1348, brought wage disturbances on a large scale to a crisis. Laborers became scarce because of depopulation and therefore wages rose. As a result of these disturbances, the Statute of Laborers was passed which decreed that no workmen could take or an employer give more pay than had been customary before the Plague. In 1350, in London, the wages for masons, carpenters, and plasterers, was 5 d. to 6 d. a day, according to the season, and without food. An ordinary laborer received 3 d. Anyone not observing these ¹ rules was liable to a fine.

There were such close relations between the borough and the craft gilds, that it is hard to decide how far they exercised their powers without municipal approval. Whenever the gilds needed confirmation of their trade regulations, they asked the borough officers for the right. In many instances, they ² bought the support of these officials. In all city ordinances, there was always a clause reserving the right to the town officials to interfere in case anything was done contrary to "the ancient customs of the city liberties." Up to 1350, the Crown generally left craft regulations to local authority. Under Edward III, in whose time the drafts had their greatest development, there was a Royal writ and a parliamentary statute to the effect that the Justice of the Peace in each district, was to have jurisdiction relative to wages paid in his locality. Frequently the national and town policy were often lax,

¹ Hazlitt 32.

² Kramer 120.

yet infringements were not allowed to go unrebuked. If a merchant sold "stretched cloth" or cloth narrower than the legal width he paid a fine to the King's Exchequer, but this was not systematically enforced. It doesn't seem to me that this rule could have been enforced absolutely any more than prohibition at the present day. In 1436, a law was passed, declaring that the ordinances made by the gilds in many cases were unreasonable, and injurious, so all gilds were ordered to submit their existing ordinances to the justices at Westminster, and were forbidden to issue any more new ones, without the approval of these officials. In 1504, it was necessary to reenact this law.

In general, the policy of the Tudors was to bring the gilds almost completely under national control. I have already spoken of the peace regulating ordinance of Henry III. Henry VIII decided to confiscate gild property and in 1545, Parliament authorized the wholesale seizure of such property, the reasons given being that the gilds spent much of their revenues for what the King as Defender of the Faith thought superstitious purposes. There is a question as to whether the King could have forced this law through Parliament if the public had not felt that the gilds had outlived their usefulness. In 1563, in Elizabeth's reign, the Statute of Apprentices was of great economic importance. It was partly a recodification of older Statutes, not properly enforced, the purpose being to prevent changes rather than to bring about innovation, although there were provisions for the training of village artisans, assuring a

¹ Cheyney 157

greater amount of agricultural labor, and for guaranteeing the adjustment of wages in proportion to the advance in "all things belonging to said tenants and laborers." Mercers, drapers, goldsmiths, ironmongers and clothiers were forbidden to take any person as apprentice whose father or mother did not have 40 d.

¹ freehold. These were the crafts where masters were still employers. It is interesting to note that the conservatism of the English is shown in the fact that this law was not repealed until 1803. Another statute mentioned twenty-one crafts opened to persons whose parents had no property at all. Freedom of

² movement was curtailed. No one was to leave a parish or town where he had been employed, unless he obtained a reference from the proper authorities, or two of the householders. The work-day was to be twelve hours in summer, and during daylight in winter. Edward VI's Statute of 1547 did not suppress the craft gilds for they were exempted from its general operation except that the revenue devoted to definite religious purposes however, was appropriated to the Crown but all grammar schools formally supported by the gilds, were to receive an annual income from the Crown.

From this time on, the decline of the Gilds was rapid. The system as an economic institution was outgrown, because what fitted the fourteenth and ^{the} fifteenth centuries was unsuited to the sixteenth. The gilds continued prosperous apparently only so long as municipal conditions made them most profitable for the town. They did not adapt themselves to changed ideas of individual liberty, free competition, and the introduction

¹ Usher 192.

² Cheyney 167.

Usher 193.

of the domestic system, followed by the factory system. In the words of Bloomfield, the gild system decayed, "overwhelmed by the expansion of the market, by the substitution of new for old forms of production, by the growing importance of finance, and by the growth of material ideas opposed to local, economic, and social consciousness."² In the words of Andrews, "severity of regulations, the jealousies of the crafts for each other, and the want of unity led to their downfall, because they were out-stripped in trade by cities in which the old gild restrictions did not exist. Finally, in 1835, the Municipal Corporations Commission found the craft gilds still existing in only a few boroughs."³ Alderman Cotton of London informed the Commission that for 400 years the larger numbers of the London crafts had not really followed the crafts of their companies. As a result of this Parliamentary investigation,⁴ the Municipal Corporations Acts provided that "every person in any borough, may keep any shop for the sale of lawful wares and merchandise by wholesale or retail, and use any lawful trade, occupation, system, handicraft, for hire, gain, sale, or otherwise, within any borough."⁵ This was six centuries after the Magna Charta's decree that all citizens "may go through England by land and water to buy and sell free from all unjust imposts" and only then had it become literally true. Today, only one merchant gild exists in England at Preston, where meetings and celebrations are held once in twenty years, the holding of the gild being proclaimed twenty-eight days before by the Town Crier. The other gilds still existing are craft gilds, which however are little more in practice than wealthy social benefit or educational societies.³

¹ Bloomfield 153.

² Andrews 277.

³ Gross 164.
Hilbert 133.

⁴ Gross 165.
Bain 5.

and the modern friendly societies and trade unions are subsequent developments.

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